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6 IN THE UNITED STATES DISTRICT COURT  
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8 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
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10 R. ALEXANDER ACOSTA, Secretary of  
11 Labor, United States Department of Labor,

No. C 15-02776 WHA

12 Plaintiff,

13 v.

14 TLC RESIDENTIAL, INC., a corporation,  
15 and FRANCISCO MONTERO, an individual,

**ORDER RE DOCKET  
ENTRY NO. 254**

16 Defendants.  
\_\_\_\_\_ /


17 Attorney Cynthia Browning's recent submission (Dkt. No. 254) does nothing to change  
18 the basic fact that she previously represented defendants in this very case, knew them, knew  
19 their style, understood their ability (or not) to pay counsel, was previously allowed to withdraw  
20 from the case and *then, thereafter* — with her eyes wide open — came back into the very same  
21 case to represent the same defendants, gaining a postponement of proceedings to allow her more  
22 time, only to have her seek to withdraw yet again for non-payment of fees on the eve of the  
23 evidentiary hearing. The Court's refusal to bless a second withdrawal has nothing to do with  
24 race or involuntary servitude. It has nothing against Attorney Browning on a personal level.  
25 It has only to do with what is expected of an officer of the court and professionalism in this  
26 district.

27 The motion is **DENIED**. However, Attorney Browning is now excused from further  
28 representing defendants, as a *fait accompli*. The referral to the committee will stand.

1 The committee should decide whether Attorney Browning should continue to practice in this  
2 district and, if so, on what terms.

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4 **IT IS SO ORDERED.**

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6 Dated: March 15, 2018.

  
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WILLIAM ALSUP  
UNITED STATES DISTRICT JUDGE